

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION**

DOUGLAS CLARK,

Plaintiff,

v.

ACTING COMMISSIONER OF  
SOCIAL SECURITY,

Defendant.

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CASE NO. 3:18-cv-40-MSH

**ORDER**

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g), and in light of Defendant's request and Plaintiff's consent to remand, this case is hereby remanded. Remand is appropriate in this case because the ALJ's finding at step five is not supported by substantial evidence because of an unresolved inconsistency between the vocational expert's testimony and the Dictionary of Occupational Titles. *See I.N.S. v. Ventura*, 537 U.S. 12, 16 (2002). On remand, the agency will update the medical evidence, further consider Plaintiff's RFC, further inquire of a vocational expert about the existence of jobs in the national economy, and issue a new decision.

Accordingly, this Court hereby reverses the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a remand of the cause to the Commissioner for further proceedings. *See Shalala v. Schaefer*, 509 U.S. 292 (1993); *Melkonyan v.*

*Sullivan*, 501 U.S. 89 (1991). The clerk of the court will enter a separate judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED, this 30th day of August, 2018.

/s/ Stephen Hyles

UNITED STATES MAGISTRATE JUDGE